



DOCKET NO.: CHIR-0158

04-62-03

#32
EL(1)
4ACE

PATENT

REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 C.F.R. § 1.118

TECH UNIT 1600/2900

APR 07 2003

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Covacci et al.

Serial No.: 09/360,934

Filing Date: July 26, 1999

For: *HELICOBACTER PYLORI* CYTOTOXIN PROTEINS USEFUL FOR
VACCINES AND DIAGNOSTICS

Confirmation No.: 4878

Group Art Unit: 1638

Examiner: P.T. Bui

EXPRESS MAIL LABEL NO: EL 827241231 US
DATE OF DEPOSIT: April 1, 2003

EL 827241231 US

Box ☒ AF
☐ ISSUE FEE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the
above-identified application.

1. Submission required under 37 CFR § 1.114

☐ Previously submitted

filed on ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously
(Any unentered amendment(s) referred to above will be entered).

filed on ☐ Consider the arguments in the Appeal Brief or Reply Brief previously

☐ Other:

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01 FC:1801 750.00 CH
02 FC:1251 110.00 CH

- ☒ Enclosed
- ☒ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☒ Information Disclosure Statement (IDS)
- ☐ Other:

2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

FEE CALCULATION:

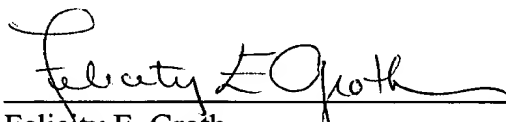
				SMALL ENTITY		NOT SMALL ENTITY	
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$375.00	\$	\$750.00	\$750.00
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	24	97 (20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	4	6 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$290	\$0
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief)				\$985	\$	\$1970	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
TOTAL FEE DUE					\$		\$860.00

- ☐ A check in the amount of \$_____ attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of **\$860.00**. This sheet is attached in duplicate.

- ☒ A response to the Final Official Action dated December 18, 2003 was due on March 18, 2003. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from March 18, 2003 to and through April 18, 2003 comprising an extension of the shortened statutory period of 1 month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: April 1, 2003


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Examiner: P.T. Bui

For: **HELICOBACTER PYLORI CYTOTOXIN PROTEINS USEFUL FOR VACCINES AND DIAGNOSTICS**

EXPRESS MAIL LABEL NO: EL 827241245 US
DATE OF DEPOSIT: April 1, 2003

Drawing Review Branch
Assistant Commissioner for Patents
Washington, DC 20231

EL827241245US


Sir:

TRANSMITTAL LETTER TO OFFICIAL DRAFTSMAN

Please find enclosed 14 sheet(s) of formal drawings comprising Figures 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, 4D, 4E, 4F, 5A, 5B, and 5C relating to the above-identified patent application.

This Letter, and the enclosed drawings, each bear the Serial No. (if assigned yet), Title, Inventor Name(s), Docket No. and name and telephone number of responsible attorney of the application on the front of the respective document. Please charge any comparison fees to our Deposit Account No. 23-3050.

Date: April 1, 2003


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